

COMMONWEALTH CAPITAL APPLICATION

Municipality:

Email:

Date:

Name:

Title:

Phone:

Please attach to this application a letter signed by the municipality's chief elected official designating a point of contact and outlining how the community has met, or made a binding commitment to, the following criteria. For zoning measures, please cite the zoning bylaw or ordinance and submit a zoning map. For non-zoning criteria or recently passed zoning, provide a copy of pertinent plans, bylaws, appropriations, maps, or other documentation. Electronic submissions are preferred. See Application guidance for additional details and a sample letter.

		Existing	Commit
1. PROMOTE COMPACT DEVELOPMENT (42)			
a.	Mixed-use zoning district with capacity for additional growth	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)
b.	Zoning for accessory units	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)
c.	Zoning allowing, as of right, multi-family dwellings (not age restricted)	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
	If capacity exists within such districts for the equivalent of >20% of existing units in the community	<input type="checkbox"/> (3)	<input type="checkbox"/> (1)
d.	Zoning for clustered development	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
	If zoning is mandated, as of right, or has been utilized in the past 12 months	<input type="checkbox"/> (3)	<input type="checkbox"/> (1)
e.	Zoning for transfer of development rights	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)
f.	Zoning directing new development to existing water and sewer network	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)
2. EXPAND HOUSING OPPORTUNITIES (33)			
a.	Executive Order 418 Housing Certification, including, where applicable, regional certification	<input type="checkbox"/> (7)	
b.	DHCD-approved Affordable Housing Plan	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)
c.	Attainment of the affordable housing goals	<input type="checkbox"/> (7)	
d.	Zoning requiring the inclusion of affordable units	<input type="checkbox"/> (6)	<input type="checkbox"/> (3)
e.	Local funding or use of appropriate municipally-owned land	<input type="checkbox"/> (6)	<input type="checkbox"/> (2)
3. REUTILIZE BROWNFIELDS AND ABANDONED BUILDINGS (12)			
a.	Plan for redevelopment: (a) inventory, (b) remediation/reuse strategy, (c) site planning, (d) other	<input type="checkbox"/> (6)	<input type="checkbox"/> (3)
b.	Incentives for Brownfields assessments and reuse: (a) funding, (b) tax incentives, (c) permit streamlining, (d) other	<input type="checkbox"/> (6)	<input type="checkbox"/> (3)
4. PLAN FOR LIVABLE COMMUNITIES (10)			
a.	Current Master Plan or Executive Order 418 Community Development Plan	<input type="checkbox"/> (2)	<input type="checkbox"/> (1)
	If zoning is consistent with the plan	<input type="checkbox"/> (2)	<input type="checkbox"/> (2)
	If the plan and zoning are consistent with relevant Regional Policy Plan (when available)	<input type="checkbox"/> (2)	<input type="checkbox"/> (1)
b.	Current DCS-approved Open Space and Recreation Plan	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
5. PROMOTE LIVABLE COMMUNITIES (12)			
a.	Adoption of Community Preservation Act or Land Bank, or recent passage of municipal bond authorization or significant funding for open space protection	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
b.	Protection of 15-25% of land area by a permanent Chapter 184-type restriction or fee-simple Article 97 type acquisition	<input type="checkbox"/> (2)	
	If 25% or more of land area	<input type="checkbox"/> (3)	
	If a restriction or fee acquisition occurred in the past 12 months	<input type="checkbox"/> (3)	
	If a restriction or acquisition was undertaken jointly with a land trust in past 12 months	<input type="checkbox"/> (2)	
6. ADVANCE SOUND WATER POLICY (12)			
a.	Water Conservation Plan consistent with the Water Conservation Standards	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
b.	Implementation of (a) stormwater BMPs, (b) LID techniques, (c) other water resource measures	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
c.	Integrated Water Resources Management Plan	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
7. PRESERVE WORKING NATURAL LANDSCAPES (12)			
a.	Right-to-farm bylaw	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
b.	Zoning for agricultural and forestry uses (≥ 10 acres per dwelling unit)	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
c.	Existing agricultural commission or use of Ch. 61-61A-61B right of first refusal in last 2 years	<input type="checkbox"/> (4)	
8. PROMOTE SUSTAINABLE DEVELOPMENT VIA OTHER ACTIONS (7)			
a.	Existing or commitment to local measures or actions not listed	<input type="checkbox"/> (7)	<input type="checkbox"/> (5)
TOTAL BOTH EXISTING & COMMIT POINTS (MAX. 140)			

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Commonwealth Capital Application Guidance

This document is intended solely to assist communities as they complete and submit their Commonwealth Capital application to the Office for Commonwealth Development (OCD). For information on OCD and its policy initiatives, including a copy of the Romney Administration's Sustainable Development Principles, please visit www.mass.gov/oed/. Detailed information on the Commonwealth Capital policy can be found on the OCD website at: www.mass.gov/oed/comcap.html.

Education Sessions & Technical Assistance: Beginning in June of 2004, sessions will be held across the state to assist communities in understanding Commonwealth Capital and completing their application. In addition, technical assistance will be available to assist communities in completing their Commonwealth Capital applications and to help them implement sustainable development consistent land use regulations. Visit OCD's Commonwealth Capital web page at www.mass.gov/oed/comcap.html for a schedule of upcoming sessions and other information.

Scoring: A municipality's score on this application will represent 20% of its overall score on any application to a Commonwealth Capital program (see OCD's Commonwealth Capital web page for more detail). Communities receive points on their Commonwealth Capital application for measures already in place at the time of application, and for those to which they are willing to commit. In most cases, communities can receive points for either an existing measure or one they are willing to commit to, but not both.

Some criteria, such as the establishment of an agricultural commission or the concentration of growth on a water and sewer network, are not feasible in every community. The application has been crafted in a way that will ensure balanced access to grants across urban, suburban, and rural communities. As a result, applicant communities are not expected to earn all available Commonwealth Capital points; a good score may be half of available points.

Documentation: In addition to a letter signed by the chief elected official (see example in Appendix 1) outlining fulfillment of the criteria and assigning a specific municipal designee, communities must document existing zoning measures by citing the zoning bylaw or ordinance and submitting a zoning map (preferably in electronic format on a CD-ROM or as an attachment to email). OCD will verify the existence of these measures via the Ordinance.com website. For non-zoning related criteria, recently passed zoning measures, or where a municipality does not submit their bylaw or ordinances to www.ordinance.com, communities will provide a copy of pertinent plans, bylaws, appropriations, maps or other documentation (preferably in electronic format on a CD-ROM or as an attachment to email) in support of their application. Communities will show commitment to implementing criteria by providing a letter from the appropriate municipal board, commission, or authority documenting an approved motion to take the plan or technique to a vote of the appropriate municipal organization within one year of application. For example, communities would demonstrate their commitment to implementation of cluster zoning by providing a letter documenting a motion accepted by the planning board to develop, review, and submit an appropriate by-law or ordinance for consideration by the local legislative body (i.e. town meeting or city council) within 12 months.

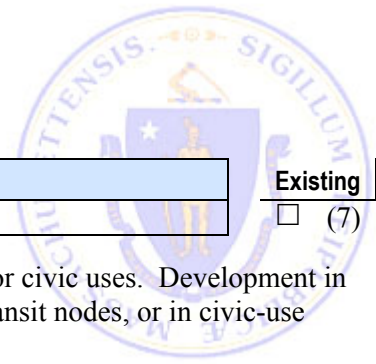
Applications should be submitted to: Massachusetts Office for Commonwealth Development
Attn: Commonwealth Capital
100 Cambridge Street, 10th Floor
Boston, MA 02114

Process: While Commonwealth Capital applications can be submitted at any time, and will be good for all Commonwealth Capital programs, it is suggested that communities submit applications--both program and Commonwealth Capital applications--to meet specific program deadlines (as per past practice). The resulting score will be good for the remainder of the state fiscal year (July 1--June 30). If local circumstances change, documentation can be submitted to amend a community's application and increase the score received. An OCD interagency team will review applications within 30 days of receipt. The municipal designee whose name would appear at the top of the Commonwealth Capital application) will be contacted if questions arise or information is missing. In addition, the designee will be contacted for a discussion of the municipality's score prior to a public posting of the municipality's score on OCD's Commonwealth Capital web page.

Questions: For questions on Commonwealth Capital, please visit www.mass.gov/oed/comcap.html; send an email to commcap@massmail.state.ma.us, or call (617) 626-1154.

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Specific Guidance for Evaluation Criteria



1. PROMOTE COMPACT DEVELOPMENT (42)		Existing	Commit
a.	Mixed-use zoning district with capacity for additional growth	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)

Mixed-use zoning districts incorporate housing as well as industrial, commercial, or civic uses. Development in these districts can occur as adaptive reuse, upper story and infill development at transit nodes, or in civic-use districts, downtowns, or commercial areas.

One of the key ways in which the Commonwealth can achieve a more sustainable development pattern is to grow in the traditional pattern of our past. This criterion encourages communities to redevelop first and to concentrate development in new or existing mixed-use districts that include housing, commercial, and civic uses.

Mixed-use zoning districts must include capacity for the creation of a meaningful number of new housing units and square feet of additional space for other uses. Communities will submit a map illustrating the district(s) and cite the zoning text. In addition, communities will discuss the feasible use of the bylaw to create new development. Ideally capacity for future growth will be demonstrated through the completion of a buildout analysis for mixed-use zoning district(s), however, communities can document capacity for growth through any convincing means.

It is expected that these districts will be at a variety of scales and densities that reflect the diversity of communities from the rural towns of the Berkshires to the urban centers of eastern Massachusetts. Guidance on traditional neighborhood design, which emphasizes mixed-use zoning, can be found at:

commpres.env.state.ma.us/content/tnd.asp.

1. PROMOTE COMPACT DEVELOPMENT (42)		Existing	Commit
b.	Zoning for accessory units	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)

Accessory dwelling units are independent units created within or on the lot of single-family homes. Accessory units can be a cost-effective means of increasing the supply of affordable rental housing in a community without substantially changing the community's character or needing to provide new infrastructure (road, sewers, etc.). While accessory unit bylaws and ordinances are becoming more common, many communities still prohibit accessory units. This criterion encourages communities to pass zoning that will allow for the creation of accessory units as a means of adding to their housing supply quickly and in a sustainable manner.

Communities with zoning in place that permits accessory units must identify the zoning ordinance or bylaw and its citation in order to receive 7 points. Municipalities committing to take an accessory unit bylaw or ordinance to town meeting or city council for a vote within 12 months of submitting their Commonwealth Capital application will receive 3 points.

Information on accessory dwelling units can be found in Chapter 3 "Zoning and Land Use Strategies" of the Citizens' Housing and Planning Association's (CHAPA) publication, *Taking the Initiative: Guidebook on Creating Local Affordable Housing Strategies*, available at: www.mhp.net/community/initiative_guidebook.php.

1. PROMOTE COMPACT DEVELOPMENT (42)		Existing	Commit
c.	Zoning allowing as of right multi-family dwellings (not age restricted)	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
	If capacity exists within such districts for the equivalent of $\geq 20\%$ of existing units in the community	<input type="checkbox"/> (3)	<input type="checkbox"/> (1)

The intent of this criterion is to encourage communities to establish as of right zoning for duplex, three-family, apartment buildings, housing above retail, and other types of multi-family units. For the purpose of this criterion, housing other than a single-family home is considered multi-family (with one exception; accessory units will not be counted under this criterion as they have their own, 1b, above). Less than half of Massachusetts' communities have zoned for the construction of any new multi-family housing as of right. However, more multi-family units are needed to increase the diversity of housing options and to lower the overall cost of housing.

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Points for this criterion are cumulative. Communities that have zoned for multi-family housing as of right (not age restricted) will receive 4 points, or with a commitment, 2 points. Communities that have zoned enough land area to produce housing units in multi-family structures in excess of 20% of the number of existing units in the community will receive an additional 3 pts (thus 7 points total for this criterion) or with a commitment to enhance the development potential of an existing district to 20% or more of existing units an additional point (thus 5 points total). With a commitment to both zoning for multi-family housing and production in excess of 20%, a community will receive 3 points (the total of both commitment points). Example: In order to receive seven points, a community with 1,000 existing housing units needs to have capacity for 200 or more multi-family units as of right within a zoning district or districts. Note: These units may or may not already exist.

For documentation, communities will submit a zoning map and the zoning bylaw or ordinance citation indicating where multi-family is allowed as of right, accompanied by a very basic analysis of the number of units that could be constructed within the district(s). While ideally yield would be calculated through a buildout analysis, these calculations need only be precise enough to approximate the unit yield. In most instances, total land area in the district divided by land area required per unit will suffice. For example, a district with a requirement for 5,000 square feet of land area per unit, and which consists of 50 acres, would be assumed to yield 435 units. Those without a land area requirement will need to submit alternative documentation (for instance, a calculation using floor area ratio and an assumed gross square foot area per unit for estimating # of units).

1. PROMOTE COMPACT DEVELOPMENT (42)		Existing	Commit
d.	Zoning for clustered development	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)
	If zoning is mandated, as of right, or has been utilized in the past 12 months	<input type="checkbox"/> (3)	<input type="checkbox"/> (1)

A cluster subdivision (otherwise known as open space residential design or conservation subdivision design) concentrates houses on smaller parcels of land, while the additional land, which would have been allocated to individual lots, is permanently protected (preferably with a permanent Chapter 184-type restriction) as open space. Typically, road frontage, lot size, setbacks, and other subdivision regulations are redefined to permit the developer to preserve ecologically sensitive areas, historical sites, or other unique characteristics of the land being subdivided.

This technique provides housing and protects open space as part of the development process, without the need for local or state funding. If broadly applied in a coordinated fashion, it has the potential to conserve important natural resource areas and connecting corridors while allowing landowners to develop much needed housing.

Points for this criterion are cumulative. Passage of a bylaw or ordinance which permits cluster by special permit earns a community 4 points (A commitment to a vote of the local legislative body within the next 12 months on a cluster by special permit bylaw or ordinance earns 2 points). Communities can earn 3 additional points (or one additional point for commitment) in two different ways. A community that permits cluster development as of right or mandates cluster development will receive 3 additional points. Or communities who have issued a building permit for a cluster subdivision within the 12-month period preceding their application can also earn the additional 3 points (for a total of 7). Points are available for communities that commit to cluster development by taking a bylaw or ordinance to a vote of the local legislative body within the next 12 months (2 points) and an additional point is available (total of 3) for those communities that take an as of right or mandatory cluster bylaw or ordinance to a vote (or a total of 5 for communities with existing cluster zoning and a commitment to change to an as of right or mandatory cluster provision).

Submittal of the zoning map and citation of the bylaw or ordinance suffices for documentation of existing zoning. Communities show their commitment to implement cluster zoning by providing a letter documenting a motion accepted by the planning board to develop, review, and submit an appropriate by-law or ordinance for consideration by the local legislative body within 12 months.

Information on this technique is available at: commpres.env.state.ma.us/content/csd.asp.

1. PROMOTE COMPACT HOUSING AND DEVELOPMENT (42)		Existing	Commit
e.	Zoning for transfer of development rights	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)

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Transfer of Development Rights (TDR) is a zoning technique that uses market forces to transfer development from one location (the “sending area”) where development is undesirable (examples include farms, forests and water supply lands.) to another location (the “receiving area”) where growth is more suited (examples include a downtown, rail station, and a brownfield site.). A typical use of TDR transfers growth from prime agricultural land to a community’s downtown, where it can occur at a greater density than would otherwise be possible. TDR is a zoning technique with a great deal of untapped potential as a tool for large-scale land protection and the accommodation and concentration of new development, both policy goals of the Romney Administration.

With appropriate documentation, a TDR bylaw earns a community 7 points. Commitment to take a bylaw or ordinance to a vote of the local legislative body within one year earns a community 3 points. Information on transfer of development rights can be found at: commpres.env.state.ma.us/content/tdr.asp.

1. PROMOTE COMPACT DEVELOPMENT (42)		Existing	Commit
f.	Zoning directing new development to existing water and sewer network	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)

A key smart growth premise is full utilization of existing infrastructure prior to extension or expansion of infrastructure capacity. The Romney Administration supports the use of existing water and sewer infrastructure (if possible) before constructing new water and sewer lines to previously undeveloped sites. Where such infrastructure exists, a community will earn 7 points by demonstrating that growth in serviced areas is of higher density, comprised of different uses, or otherwise reflects the intention of the community to use the availability of water and/or sewer infrastructure as a growth management tool. Note: It is recognized that not all locations with water and/or sewer infrastructure are appropriate for future growth and utilization of existing water and sewer networks should be consistent with sound water policy.)

Communities should cite bylaws or ordinances, and submit maps, plans, or other documentation to show that existing land use regulations achieve this criterion. Communities can earn three points by submitting a letter from an appropriate municipal board or commission demonstrating their commitment to this technique.

2. EXPAND HOUSING OPPORTUNITIES (33)		Existing
a.	Executive Order 418 Housing Certification, including, where applicable, regional certification	<input type="checkbox"/> (7)

A key goal of the Romney Administration is to expand housing opportunities. Executive Order 418 provides an incentive to communities to do so. Municipalities can apply annually to the Department of Housing and Community Development (DHCD) for housing certification, indicating that they have produced housing units that meet certain guidelines. Communities who achieve certification during FY 2005 earn seven points and need not submit additional documentation. Information about E.O. 418 housing certification and a list of FY05 certified communities are available at: www.massdhcd.com/eo418/homepage2.htm.

2. EXPAND HOUSING OPPORTUNITIES (33)		Existing	Commit
b.	DHCD-approved Affordable Housing Plan	<input type="checkbox"/> (7)	<input type="checkbox"/> (3)

One of the critical challenges facing the Commonwealth is a lack of affordable housing. Pursuant to Chapter 40B, DHCD established by regulation the ability for communities to plan in advance for the provision of affordable housing to meet their 40B obligation. Affordable Housing Plans include an analysis of needs, statement of goals, and a strategy for achieving a mix of housing including family housing, rental and homeownership opportunities. This criterion encourages municipalities to complete an Affordable Housing Plan documenting their strategy for housing construction and will earn a community 7 points.

DHCD’s list of approved plans, available at www.state.ma.us/dhcd/ToolKit/PProd/ApPlans.htm, will be used to verify applications. Communities who submit Affordable Housing Plans for review by DHCD are considered eligible to receive these points. Communities seeking three points for commitment will submit a letter from their chief elected official stating that an Affordable Housing Plan will be completed and submitted to DHCD within one year of application to Commonwealth Capital. All plans must meet standards established by the DHCD and available with other information at: www.state.ma.us/dhcd/ToolKit/PProd/default.htm.

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2. EXPAND HOUSING OPPORTUNITIES (33)		Existing	Commit
c.	Attainment of the affordable housing goals	<input type="checkbox"/> (7)	

Insufficient affordable housing is a key problem facing the Commonwealth. This criterion awards communities 7 points for attainment of affordable housing goals defined as (a) meeting the 10% of total units standard of Chapter 40B; (b) creation in the previous calendar year of subsidized housing equivalent to $\geq 2\%$ of total units; or (c) creation in the previous calendar year of subsidized housing equivalent to 0.75% of total units for communities that have an approved Affordable Housing Plan. This criterion is identical to measures that a community can take to receive relief from Chapter 40B under pending legislation.

Municipalities do not need to submit documentation for this criterion. The Subsidized Housing Inventory maintained by DHCD will be used to determine that the 10% goal has been met, and new additions to the inventory will be used to assess municipal attainment of the 2 unit creation measures. Communities should ensure, however, that qualifying affordable units constructed in the last year are included in DHCD's inventory.

Related information can be found at:

Subsidized Housing Inventory: www.state.ma.us/dhcd/ToolKit/shi.htm

Planned Production: www.state.ma.us/dhcd/ToolKit/PPProd/default.htm

2. EXPAND HOUSING OPPORTUNITIES (33)		Existing	Commit
d.	Zoning requiring the inclusion of affordable units	<input type="checkbox"/> (6)	<input type="checkbox"/> (3)

Inclusionary zoning requires that a certain percentage of housing units constructed in a particular development be affordable. For example, a 15% affordability requirement would mandate that a developer of a 100-unit subdivision provide 15 units of housing affordable to those who earn no more than 80% of the area wide median income. Note: A density bonus often accompanies an affordability requirement, allowing a developer to build more housing units than zoning would otherwise permit.

Seven points will be awarded to communities with inclusionary zoning in place. Communities will submit a zoning map showing where the zoning applies and a citation of the bylaw or ordinance. Three points will be awarded to communities that commit to a vote on an inclusionary zoning bylaw or ordinance within the next 12 months.

Communities will submit a letter so indicating from the planning board. Information on inclusionary zoning can be found in Chapter 3 "Zoning and Land Use Strategies" of the CHAPA publication, *Taking the Initiative: Guidebook on Creating Local Affordable Housing Strategies* available at: www.mhp.net/community/initiative_guidebook.php.

2. EXPAND HOUSING OPPORTUNITIES (33)		Existing	Commit
e.	Local funding or use of appropriate municipally-owned land	<input type="checkbox"/> (6)	<input type="checkbox"/> (2)

Municipalities (including a housing authority acting on a municipality's behalf) can demonstrate their support (and earn 6 points) for expansion of housing opportunities by providing funding (from a variety of sources including the Community Preservation Act (CPA)) or municipal land for housing production. As documentation, communities will provide a narrative on the amount of funding or land provided for housing purposes within the past two years, including a description of the quantity and affordability of housing produced as a result of the municipality's actions. The receipt and use by a municipality of Community Development Block Grant (CDBG) funds or other municipally-administered grant funds for housing production will be considered local for the purpose of this application. Communities earn 2 points for commitment to seek municipal funding or land dedication for housing within the next 12 months.

3. REUTILIZE BROWNFIELDS AND ABANDONED BUILDINGS (12)		Existing	Commit
a.	Plan for redevelopment: (a) inventory, (b) remediation/reuse strategy, (c) site planning, (d) other	<input type="checkbox"/> (6)	<input type="checkbox"/> (3)

"Redevelop First" is a key tenet of smart growth and the first of OCD's Sustainable Development Principles. Completion of or a commitment to any of the actions (a-d) will earn a community 6 or 3 points respectively. Communities will submit appropriate documentation, i.e. inventories, redevelopment or site plans, etc. with their applications. These measures relate to actions a community (individually or as part of a regional effort) took or will

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take to plan for redevelopment of brownfields (land contaminated or suspected of contamination) or greyfields (land vacant or underutilized but not suspected of contamination.). Planning efforts include: a) An inventory completed at the local or regional level to develop a list of such sites with basic information, such as site ownership; b) A remediation/reuse strategy outlining practical means of encouraging site owners or others to bring brownfields or greyfields into productive use; c) Site planning specific to the redevelopment of a site; or d) Other measures that demonstrate a municipality's commitment to redevelopment. These measures should be current and in use by the community; any of measures (a-d) will earn a municipality 6 points or 3 points for commitment to implementation. Brownfields information can be found at: www.mass.gov/dep/bwsc/brownfld.htm.

3. REUTILIZE BROWNFIELDS AND ABANDONED BUILDINGS (12)		Existing	Commit
b.	Incentives for Brownfields assessments and reuse: (a) funding, (b) tax incentives, (c) permit streamlining (d) other	<input type="checkbox"/> (6)	<input type="checkbox"/> (3)

As with **3 a.** above, completion of or a commitment to any of the actions (**a-d**) will earn a community 6 or 3 points respectively (submit appropriate documentation, i.e. zoning or budget citation, property tax code). This criterion measures a community's financial or regulatory efforts related to redevelopment of brownfields or greyfields. Funding must be at a meaningful level, and could be provided through a variety of means including the creation of a revolving fund, contribution to a regional brownfields cleanup program, or bond authorization. Local tax incentives include use of tax increment financing, business improvement districts, or other measures that provide owners or purchasers of brownfields or greyfields with meaningful incentives to redevelop these sites. Any substantive streamlining of the permitting process for such sites will earn a community points. Zoning and other measures can demonstrate the community's commitment. In order to earn the 6 points, any of measures (**a-d**) must be currently available to parties seeking to reuse sites in the community. Brownfields information can be found at: www.mass.gov/dep/bwsc/brownfld.htm.

4. PLAN FOR LIVABLE COMMUNITIES (10)		Existing	Commit
a.	Current Master Plan or Executive Order 418 Community Development Plan	<input type="checkbox"/> (2)	<input type="checkbox"/> (1)
	If zoning is consistent with the plan	<input type="checkbox"/> (2)	<input type="checkbox"/> (2)
	If the plan and zoning are consistent with relevant Regional Policy Plan (when available)	<input type="checkbox"/> (2)	<input type="checkbox"/> (1)

The Romney Administration supports planning for future growth and, under this criterion, communities receive points for completing or committing to the completion of either a Master Plan that meets the requirements of Chapter 41 Section 81D or a Community Development Plan pursuant to Executive Order 418. Points for this criterion are cumulative; completion of a plan is worth 2 points, consistency between a community's plan and zoning is worth an additional 2 points, and consistency with the regional policy plan of a community's Regional Planning Agency earns a community 2 more points, for a maximum of 6 points for this criterion. Ideally plans will be updated every five years, however for the purpose of this criterion, communities can demonstrate that their plan is current by documenting recent re-examination and affirmation of the plan's goals, passage of bylaws, or ordinances implementing the plan, submission of grant applications designed to follow-up on the plan, or similar measures.

It is expected that many communities will earn 2 points for having a plan, but few will earn the additional points for zoning that is consistent with the plan or a plan that is consistent with the relevant Regional Policy Plan. It is not necessary to submit any documentation if a community has completed a Community Development Plan, as OCD has a complete list of communities who have completed a Community Development Plan. Those communities earning points for a Master Plan should NOT submit paper copies of their plan. Electronic submissions of the entire plan are preferred on CD-ROM. If the plan exists only in paper form, please submit only an executive summary or goals statement electronically via email or CD-ROM. In addition, communities should attach to their application, documentation for any points they believe they are entitled to for consistency of the plan with zoning or consistency with the Regional Policy Plan. Consistency between plans and zoning can be demonstrated by listing goals and policies, land use objectives, and/or "action items" from an implementation section of a community's plan and zoning provisions that correspond to those goals. Similarly, communities will indicate ways in which their plan and zoning conform to the land use goals of their RPA's Regional Policy Plan. Communities without a plan in place can earn additional points by committing to completion of a Master Plan (1 point; with 2 additional points for

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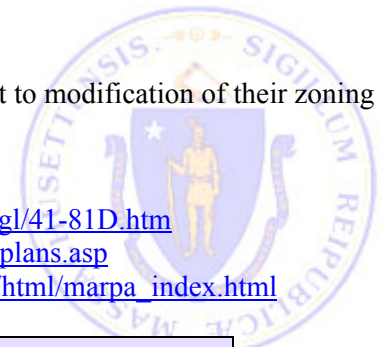
commitment to consistency with the relevant regional policy plan.) or commitment to modification of their zoning to conform to the plan (2 points).

Related information:

Chapter 41 Section 81D Master Plan requirements: www.state.ma.us/legis/laws/mgl/41-81D.htm

Community Development Plan information: commpres.env.state.ma.us/content/cdplans.asp

Massachusetts Association of Regional Planning Agencies: www.pvpc.org/marpa/html/marpa_index.html



4. PLAN FOR LIVABLE COMMUNITIES (10)		Existing	Commit
b.	Current DCS-approved Open Space and Recreation Plan	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)

Open Space and Recreation Plans identify and plan for local open space priorities. These plans guide a community's management of natural resources and recreational opportunities and facilities. The Romney Administration supports pro-active planning for natural resource protection and recreation as an important way of promoting stewardship of natural resources. The state's Division of Conservation Services (DCS) has long-standing requirements for the completion of an Open Space & Recreation Plan (valid for a 5-year period) before a community can apply for Self-Help, Urban Self-Help and Federal Land and Water Conservation Fund grant rounds. Additional information is available at: www.state.ma.us/envir/dcs/openspace/default.htm.

Communities with a DCS approved Open Space and Recreation Plan receive 4 points; OCD will rely upon the latest list of communities with approved and valid plans from DCS as documentation. As within other criterion, communities can earn 2 commitment points if they have either submitted a draft plan to DCS for review or submitted a letter from the Conservation Commission indicating their intent to complete and submit an Open Space and Recreation Plan within the next 12 months.

5. PROMOTE LIVABLE COMMUNITIES (12)		Existing	Commit
a.	Adoption of Community Preservation Act (CPA) or Land Bank, or recent passage of municipal bond authorization or significant funding for open space protection	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)

The Romney Administration encourages communities to adopt open space funding measures to promote livable and environmentally sustainable communities. (Note: the CPA can also be used for historic preservation and affordable housing needs.) Through each of these measures, a municipality demonstrates its commitment to fund land protection with its own resources. The means by which a municipality raises these funds is intentionally flexible; for example, a set aside of hotel/motel taxes to land protection would be acceptable. In order to earn 4 points, non-CPA or Land Bank communities must have authorized or utilized "significant" funding, equivalent to that which would typically be raised by the CPA or Land Bank, over the last two years. Communities can earn 2 points by committing to seek municipal funding within the next year. Appropriate documentation, such as a copy of a town meeting warrant article approving funding, should be submitted. Information on the Community Preservation Act is available at: commpres.env.state.ma.us/content/cpa.asp.

5. PROMOTE LIVABLE COMMUNITIES (12)		Existing
b.	Protection of 15-25% of land area by a permanent Chapter 184-type restriction or fee-simple Article 97-type acquisition	<input type="checkbox"/> (2)
	If 25% or more of land area	<input type="checkbox"/> (3)
	If a restriction or fee acquisition occurred in the past 12 months	<input type="checkbox"/> (3)
	If a restriction or acquisition was undertaken jointly with a land trust in past 12 months	<input type="checkbox"/> (2)

This criterion acknowledges the value to the Commonwealth of existing protected open space and gives communities with a significant portion of their community in permanently protected status, credit for their contribution. Communities also receive credit for recent actions to permanently protect land.

No documentation of the amount of permanently protected land need be submitted, as MassGIS will utilize its protected open space GIS datalayer to make this determination on behalf of OCD. However, communities should ensure that recent acquisitions or restrictions have been submitted to MassGIS for inclusion in the datalayer, as these submissions will be used to award points for recent land protection.

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Note that beyond permanent protection of 15-25% or more than 25% of a community's land area (worth 2 or 3 points respectively), the points for this criterion are cumulative. For example, if a community has acquired a parcel of land in the last year (3 points) in concert with a land trust (2 points), and has more than 25% of its land are permanently protected (3 points), it will earn the maximum number of points available for this criterion (8 points).

It is important to the Romney Administration that land acquired also receive permanent protection through either a:

- Chapter 184-type conservation restriction, which requires EOEa secretarial approval to assure "public benefit." The Secretary's approval affords certain protections for easements in gross and in perpetuity. For more, information, read the Massachusetts Conservation Restriction Handbook available at: www.state.ma.us/envir/dcs/restrictions/default.htm); or
- Article 97 protection (www.mass.gov/legis/const.htm#art097.htm). Lands acquired for the natural resource purpose listed in Article 97 require approval of the General Court before they can be sold or used for other purposes. EOEa's Article 97 Land Disposition Policy can be found at: www.mass.gov/envir/mepa/fourthlevelpages/article97policy.htm

6. ADVANCE SOUND WATER POLICY (12)		Existing	Commit
a.	Water Conservation Plan consistent with the Water Conservation Standards	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)

One way in which communities can meet current and future demands for water is through increased efficiency of water use. The Romney Administration encourages communities to create a Water Conservation Plan consistent with the Water Conservation Standards of the Massachusetts Water Resources Commission. These Standards help achieve environmental and economic benefits, such as protecting water supply sources for future needs, reducing costs for treatment and disposal, reducing system throughput, decreasing the potential for pollution of ground and surface waters, improving service to water supply customers while holding down costs, and helping to protect ground water and surface water levels and flow regimes to protect habitats and the natural functioning of riverine systems.

The [Water Resources Commission](#) adopted Water Conservation Standards with the goal of providing practical recommendations to assist public and private water utilities in achieving the maximum possible efficiency in their water supply systems and in encouraging increasing efficiency by consumers. Communities should submit their Water Conservation Plan to receive 4 points or a letter committing to the development of a Plan to receive 2 points.

6. ADVANCE SOUND WATER POLICY (12)		Existing	Commit
b.	Implementation of a) stormwater BMPs, b) LID techniques, or c) other water resource measures	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)

Lack of groundwater recharge from stormwater and/or wastewater due to the movement of water out of a basin is a significant cause of water deficits. The goal of the Romney Administration is to keep water local by facilitating more recharge and mimicking the natural hydrological system.

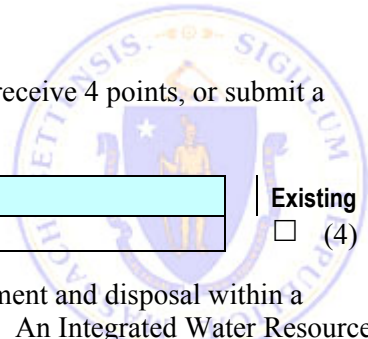
Stormwater and urban runoff is the single largest source of water movement and contamination resulting in water quality problems in rivers, lakes, ponds, and marine waters in Massachusetts. The use of Best Management Practices (BMPs) can help control these water quantity and quality problems. For guidance on stormwater management standards, implementation of the standards, and BMP technical guidance, please refer to: www.mass.gov/dep/brp/stormwtr/stormpub.htm.

Low Impact Development (LID) is a set of landscape and development techniques that encourage infiltration of stormwater at the lot level to reduce run off, increase ground water recharge, and reduce non-point source pollution. LID includes preservation of environmentally sensitive site features, use of vegetated buffers to remove pollutants, and reduction of impervious surfaces to decrease run off. The primary tools of LID are landscaping features and naturally vegetated areas that encourage detention, infiltration, and filtration of stormwater on site. Other tools include water conservation, use of pervious surfaces, maintaining existing vegetated areas, and minimizing disturbed areas. For more details, please refer to www.state.ma.us/envir/water/default.htm.

In addition to stormwater BMPs and LID techniques, other subdivision regulation or zoning measures can be used to address water quality and quantity concerns such as stormwater, aquifer protection, flood zone, and impervious

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surface limits. Communities should document water measures already in place to receive 4 points, or submit a letter committing to implementation of a particular measure to receive 2 points.



6. ADVANCE SOUND WATER POLICY (12)		Existing	Commit
c.	Integrated Water Resources Management Plan	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)

The Romney Administration encourages communities to plan for wastewater treatment and disposal within a watershed context and with adequate consideration of water supplies and demands. An Integrated Water Resources Management Plan evaluates current and future wastewater and water supply needs, assesses natural resource issues, identifies tradeoffs, and develops wastewater management alternatives to meet current and future needs. Furthermore, the Plan helps communities determine and understand existing and potential threats to their water resources. A Plan identifies and is sensitive to environmental resources, water supply needs, and their interconnection with wastewater choices. And finally, it demonstrates an understanding of groundwater recharge, streamflow, and water quality considerations.

The Department of Environmental Protection provides a guidance document available at: www.mass.gov/dep/brp/mf/files/fpintro.htm. Communities are strongly encouraged to contact the DEP office when developing their plans. Communities will submit a copy of their Integrated Water Resources Management Plan to receive 4 points, or a letter of committing to the development of a Plan within the next 12 months to receive 2 points.

7. PRESERVE WORKING NATURAL LANDSCAPES (12)		Existing	Commit
a.	Right-to-farm bylaw	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)

One way to encourage continued agricultural use is local passage of a [right-to-farm bylaw](#), which protects farmers from nuisance complaints about their farming practices. Communities with such a bylaw or ordinance in place earn 4 points and those that commit to taking a right-to-farm bylaw to town meeting or city council for a vote, within the next 12 months, receive 2 points. Submittal of the bylaw or ordinance or a letter of commitment will serve as documentation for this criterion. More information and a model bylaw are available from the Department of Agricultural Resources at (617) 626-1726.

7. PRESERVE WORKING NATURAL LANDSCAPES (12)		Existing	Commit
b.	Zoning for agricultural and forestry uses (≥ 10 acres per dwelling unit)	<input type="checkbox"/> (4)	<input type="checkbox"/> (2)

Many Massachusetts communities have zoned for 2-3 acre house lots across the majority of their land, zoning which disperses housing development resulting in higher rates of land consumption per unit and is a detriment to natural resource-based industries such as agriculture, forestry, tourism, and recreation. Communities with zoning in place at resource protective densities of 1 house per 10 acres or more will earn 4 points. Communities will earn 2 points for a commitment to take such a zoning bylaw or ordinance to a vote within the next 12 months. Low-density zoning should not be the only available development density for the community. Low densities should be contrasted with housing opportunities elsewhere, typically by providing for higher residential densities in a community's downtown or other appropriate sites. This pattern of low density in one portion of the community and high density in another is best accomplished in concert with a transfer of development rights and/or cluster development as of right zoning system with incentives to encourage landowners to either entirely transfer development rights off of a property or concentrate development on smaller portions of their agricultural, forestry, recreational, or other lands.

Despite widespread and successful utilization of this technique in other states, in Massachusetts low-density zoning for resource protection is currently poorly understood and thus controversial. Guidance on natural resource-based zoning, including legal issues associated with this technique, is under development and will be made available upon completion on the OCD website at: www.mass.gov/oecd/.

7. PRESERVE WORKING NATURAL LANDSCAPES (12)		Existing
c.	Existing agricultural commission or use of Ch. 61-61A-61B right of first refusal in last 2 years	<input type="checkbox"/> (4)

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Agricultural commissions promote and protect agricultural interests for present and future generations. The existence of an agricultural commission in a community provides a forum for consideration of farming issues, assuring that the impact of land use and other local decisions on farm interests is properly considered. Establishment of agricultural commissions helps to achieve the Romney Administration's principle to foster sustainable businesses.

Communities earn 4 points toward their Commonwealth Capital score by having an agricultural commission in place. Information on agricultural commissions, and the process for forming one, is available from the Department of Agricultural Resources by calling 617-626-1726. Submittal of a copy of the bylaw or ordinance establishing the agricultural commission will serve as documentation that this criterion has been met.

Communities can also earn the four points available for this criterion if they have taken advantage of their right of first refusal (or land has been protected via assignment of their right to a land trust) to protect farm and other lands under MGL Chapters 61, 61A and 61B within the last two years. The Chapter 61 (www.mass.gov/legis/laws/mgl/GL-61-TOC.HTM), 61A (www.mass.gov/legis/laws/mgl/GL-61A-TOC.HTM) and 61B (www.mass.gov/legis/laws/mgl/GL-61B-TOC.HTM) programs help landowners afford to maintain farms, natural areas, and working forests by reducing property taxes paid on forest, agricultural, and recreational lands. One of the conditions of the Chapter 61 programs is the ability for the host community to purchase lands being sold for development; the Romney Administration encourages local communities to do so in order to conserve our natural resources and support natural resource-based industries.

As documentation that this criterion has been met communities will submit a copy of a town meeting vote and evidence of deed recording from the assessor. Where the right of first refusal is assigned, communities should submit minutes of a meeting authorizing the assignment and evidence that the assignee has completed the purchase.

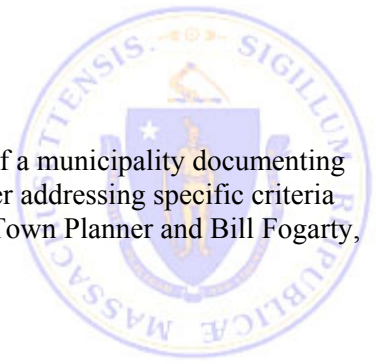
8. PROMOTE SUSTAINABLE DEVELOPMENT VIA OTHER ACTIONS (7)		Existing	Commit
a.	Existing or commitment to local measures or actions not listed	<input type="checkbox"/> (7)	<input type="checkbox"/> (5)

A wide variety of activities exist for municipalities to demonstrate the consistency of their actions with OCD's Sustainable Development Principles. Energy efficiency, transportation activities, historic preservation, and environmental justice are a few of many areas in which communities can receive credit for policies and actions that are consistent with the [Sustainable Development Principles](#). For example, existing or committed activities could include development of a strategic plan to reduce greenhouse gas emissions through energy efficiency, green building design, renewable energy, distributed generation, and combined heat and power; and initiatives to take full advantage of utility energy efficiency programs. Another example is participation in regional, intergovernmental, or multi-jurisdictional compacts or other formal agreements that promote regional planning such as compacts to protect key regional features, improve water quality, or provide regional infrastructure. Communities will make and document their case; the OCD team reviewing applications will reward a community with up to 7 points based on the quality and quantity of sustainable development consistent actions.

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Appendix 1: Sample Language:

Applications must be accompanied by a letter signed by the chief elected official of a municipality documenting attainment of the Commonwealth Capital criteria. Example sections of such a letter addressing specific criteria were developed in concert with the Town of Wilbraham (thanks to John Pearsall, Town Planner and Bill Fogarty, Town Administrator) and are shown below.



1.b. Existing Zoning For Accessory Units

Wilbraham adopted accessory apartment zoning in 1994. An accessory apartment may be established in a residential dwelling by special permit from the Planning Board pursuant to sections 3.6.2.15 and 4.10 of the Wilbraham Zoning By-Law.

1.d. Existing Zoning For Clustered Development, which has been utilized in the past 12 months

Wilbraham adopted cluster zoning in 1964, one of the first communities to do so in Massachusetts. Wilbraham is now in its third generation version of cluster zoning that is referred to as flexible zoning and is codified under sections 3.4.2.8 and 4.7 of the Wilbraham Zoning By-law. Flexible zoning is allowed by special permit from the Planning Board in all residential zoning districts and has become the preferred and most commonly used method of new residential land development in Wilbraham. During the past 12 months, the following definitive flexible zoning subdivision application was granted a special permit by the Planning Board:

<u>Subdivision</u>	<u>Date of Approval</u>
Patriot Ridge Lane	October 22, 2003

4.b. Current DCS-approved Open Space and Recreation Plan

The Current Five Year Open Space and Recreation Plan (2000-2005) was given conditional approval by DCS on August 25, 1999 and final approval on January 3, 2001.

5.a. Adoption of Community Preservation Act or Land Bank, or recent passage of municipal bond authorization or significant funding for open space protection

On May 17, 2004 the Wilbraham Town Meeting passed a municipal bond authorization not to exceed 1,300,000 dollars to purchase the Rice Farm Property consisting of approximately 250 acres to be permanently preserved for agricultural, conservation and passive recreation purposes. Reference: Article #4, 2004 Annual Town Meeting Warrant.

8.a. Existing local measures not listed

The Town of Wilbraham adopted a Ridgeline and Hillside Overlay Zoning District that requires site plan approval from the Planning Board which acts as the Ridgeline and Hillside District Review Board for development in the town on land located at ≥ 550 feet in elevation. Ridgeline and Hillside District site plan review provides additional protection with respect to the visual and environmental impacts of development pursuant to Section 9.3 of the Wilbraham Zoning By-Law.